



CALFEE, HALTER & GRISWOLD LLP

Attorney Docket No. 26874/04013

DECLARATION
AND POWER OF ATTORNEY

ORIGINAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

UNIPLATE CERVICAL DEVICE

the specification of which

- ☐ is attached hereto,
☒ was filed on March 19, 2004 as Application Serial No. 10/804,743
☐ and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit of foreign priority under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Country | Application Number | Serial | Filing Date | Legal Status | Priority Claimed |
|---------|--------------------|--------|-------------|--------------|------------------|
| | | | | | |

I hereby claim the benefit of United States priority under 35 USC §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial Number | Filing Date | Legal Status |
|---------------------------|-------------|--------------|
| | | |

I hereby claim the benefit of United States priority under 35 USC §119(e) of any United States provisional application(s) listed below:

| Application Serial Number | Filing Date | Legal Status |
|---------------------------|----------------|--------------|
| 60/456,787 | March 21, 2003 | |

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

The Attorneys Associated with Customer No. 24024

Address all telephone calls to Brian E. Kondas at telephone number (216) 622-8308 and all facsimiles to Brian E. Kondas at (216) 241-0816.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first (or sole) inventor: Paul S. Lin

Inventor's signature: Paul S. Lin

Date: 7.26.04

Citizenship: USA

Post Office Address: SUN Orthopedic Group
900 Buffalo Road
Lewisburg, Pennsylvania 17837

Residence Address: 14 Edward Circle
Lewisburg, Pennsylvania 17837